

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES
APPROVAL OF APPLICATION A-19695
WATER DIVISION 1-D

Background

1. On March 9, 2020, TransCanada Keystone Pipeline LP filed application A-19695 for a temporary permit to appropriate water for the purpose of dust control during pipeline construction.
2. Temporary permits may not be granted for a term of more than one year.

Order

IT IS HEREBY ORDERED that application A-19695 is APPROVED subject to the following limitations and conditions:

1. The source of water is the Cub Creek.
2. The water shall be used for the purpose of dust control during pipeline construction.
3. The priority date is March 9, 2020.
4. The point of diversion is located in the SW¹/₄NE¹/₄ of Section 06, Township 03 North, Range 04 East of the 6th P.M. in Jefferson County. The location of diversion is generally depicted on the drawing filed with the application.
5. The rate that water may be diverted under appropriation A-19695 shall not exceed 0.67 cubic foot per second (300 gallons per minute) and a total diversion of 15.34 acre-feet.
6. This authorization EXPIRES one year past the signing date of this application approval, and application A-19695 will be CANCELLED without further action by the Department as of that date.
7. This appropriation is subject to the provisions of the Blue River Compact and could be closed if Compact flows are not being met.
8. The appropriator must comply with all relevant statutes. This includes, but is not limited to, the following:
 - a. Notify the Department of any change in ownership or address.
 - b. Notify the Department of the name and address of the person responsible for the use of the water appropriation (this may include contractors or tenants that actually apply the water to the approved use).

- c. Getting approval from the Department prior to taking any action that changes the location of the point of diversion, the location of the place of use, the type of use, or the type of appropriation.

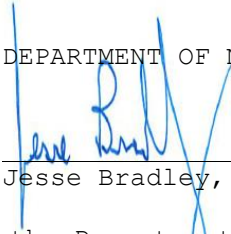
Additional Information

Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Approval may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

This appropriation is not a guarantee that water will be available. Nebraska law gives priority to senior appropriations. This appropriation may be closed if there is insufficient water to satisfy senior appropriations.

DEPARTMENT OF NATURAL RESOURCES

May 18, 2020



Jesse Bradley, Interim Director

A copy of this approval was posted on the Department's website and provided to the Department's field office in Lincoln, Nebraska. A copy of this approval was mailed on May 18, 2020, to the following:

Gayle Konik
TransCanada Keystone Pipeline, LP
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Houston TX 77002